IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
TUESDAY, THE TWENTY NINETH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 947 of 2004

Between:
K.Rajaiah, S/o. Ramaiah,
R/o.3-6-047, Dattanagar, Narayanaguda, Hyderabad.
..... PETITIONER

AND

1 The Commissioner of Police, Hyderabad.
2 The Station House Officer, P.S.Narayanaguda, Hyderabad.
3 K.Ashok, S/o. Rajaiah,
R/o.H.No.3-6-947, Dattanagar, Narayanaguda, Hyderabad.
4 K.Shyam Prasad, S/o. Rajaiah,
R/o.H.No.3-6-947, Dattanagar, Narayanaguda, Hyderabad.
5 K.Ramesh, S/o. Rajaiah,
R/o.H.No.3-6-947, Dattanagar, Narayanaguda, Hyderabad.
.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to that an Order or Direction or a writ particularly one in the nature of writ of Mandamus be issued directing the Respondents No.1 and 2 herein to protect life and property of the petitioner and his wife.

Counsel for the Petitioner: MR.B.V.BAKSHI, Advocate.

Counsel for the Respondent Nos.1 & 2: Govt. Pleader for Home.

For respondents 3 to 5 : None appeared.

The Court Made the Following :

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Oral Order:

Heard the learned counsel for the petitioner and also learned Government Pleader for Home for respondents 1 and 2.

Having regard to the fact that on the complaint lodged by the petitioner on 28-10-1999 case in Cr.No.400 of 1999 under Sections 324 & 506 IPC has been registered against the respondents 3 to 5 herein and later on convicted by the Magistrate by imposing a fine of Rs.2,000/- in C.C.No.1049 of 2000 and the same was confirmed in appeal by the Special Judge for trial of cases under Essential Commodities Act, the grievance of the petitioner that the respondents 1 and 2 have not acted on the complaint is not well founded.

In the counter filed by the respondents 1 and 2 it is stated that the petitioner never gave any complaint against respondents 3 to 5 except the compliant, referred to above, and also to provide police protection to him and his wife and in obedience to the orders passed by this Court on 20-01-2004, 2nd respondent posted two constables at the residence of the petitioner and his wife and it is not possible to spare the services of two police constables at their service. If the petitioner wants any police protection, the police are ready to provide the same at his cost. The petitioner has not paid any amount as usual charges as per the guidelines issued by the authorities for providing security in the light of the interim directions granted by this Court.

In view of the same, interim order granted on 20-01-2004 is hereby vacated. Petitioner is at liberty to approach the respondents 1 and 2 with necessary application for providing police protection at his house and it is open for the respondents 1 and 2 to provide police protection as per the usual terms and conditions.

The writ petition is accordingly disposed of. No costs.

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A.GOPAL REDDY, J.

29-06-2004

Murthy

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner of Police, Hyderabad.

2 The Station House Officer, P.S.Narayanaguda, Hyderabad.

3. 2CCs to the Govt. Pleader for Home, High Court Buildings, Hyd.(OUT)

4. Two CD copies.